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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE COCA-COLA PRODUCTS
MARKETING AND SALES PRACTICES
LITIGATION (No. II)

This filing relates to all actions

Case No. 4:14-md-02555-JSW

**AMENDED STIPULATION OF
DISMISSAL [FRCP 41(a)];
~~[PROPOSED]~~ ORDER OF DISMISSAL**

Judge: Hon. Jeffrey S. White
Complaint: Filed Aug. 27, 2013
Case Management Conference: VACATED
Courtroom 5

Pursuant to Fed. R. Civ. P. 41(a), and subject to the Court's approval, the parties hereby stipulate to a dismissal with prejudice of the claims of the named plaintiffs in MDL No. 2555, which consists of the following remaining actions:

- 4 a. George Engurasoff 4:13-cv-03990-JSW;
- 5 b. Joshua Ogden 4:13-cv-05017-JSW;
- 6 c. Paul Merritt 4:13-cv-01067-JSW;
- 7 d. Yocheved Lazaroff 4:14-cv-03686-JSW;
- 8 e. Rachel Dube 4:14-cv-03686-JSW;
- 9 f. Ronald Sowizrol 4:14-cv-03774-JSW;
- 10 g. Michelle Marino 4:14-cv-04274-JSW; and
- 11 h. Thomas Woods 4:14-cv-01447-JSW.

The Ninth Circuit reversed this Court's order certifying an injunctive relief class on August 31, 2021. Subject to this Court's approval, the parties jointly stipulate to dismissal with prejudice of all remaining claims of the named plaintiffs, with the parties to bear their own attorneys' fees and costs. Because there is no certified class, the dismissal will have no impact on any claim of any absent putative class member.

This Amended Stipulation supersedes the Stipulation of Dismissal made on February 15, 2022 as Docket Number 244, and includes all named plaintiffs in all pending actions. This Amended Stipulation also addresses the Court's Order on the same at Docket Number 245.

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[PROPOSED] ORDER

Good cause appearing, and because the Ninth Circuit has ruled that the named plaintiffs lack standing, the Court grants the parties' Amended Stipulation of Dismissal, and hereby dismisses with prejudice the claims of all named plaintiffs in MDL No. 2555, with each party bearing that party's own attorney's fees and costs. Therefore, the claims of the following named plaintiffs are dismissed with prejudice:

- a. George Engurasoff 4:13-cv-03990-JSW;
- b. Joshua Ogden 4:13-cv-05017-JSW;
- c. Paul Merritt 4:13-cv-01067-JSW;
- d. Yocheved Lazaroff 4:14-cv-03686-JSW;
- e. Rachel Dube 4:14-cv-03686-JSW;
- f. Ronald Sowizrol 4:14-cv-03774-JSW;
- g. Michelle Marino 4:14-cv-04274-JSW, and
- h. Thomas Woods 4:14-cv-01447-JSW.

This Order concerns the claims of the named plaintiffs in the above actions only, and does not impact any claim of any absent member of the putative class. The Clerk of Court is directed to close ~~the file~~ all files.

IT IS SO ORDERED.

February 22, 2022



Hon. Jeffrey S. White
U.S. District Court Judge